

1 LAW OFFICES OF KIRK B. FREEMAN  
2 KIRK B. FREEMAN Bar No. 99685  
3 MATTHEW A. MALLET Bar No. 203393  
4 214 Grant Avenue, Suite 301  
5 San Francisco, California 94108  
Telephone: (415) 398-1082  
Fax: (415) 391-1285

6 Attorneys for Defendant MONTAG DIVULGAÇÃO LTDA.

7 OWEN SEITEL (SBN 137365)  
8 ELIZABETH J. REST (SBN 244756)  
9 IDELL & SEITEL LLP  
10 465 California Street, Suite 300  
San Francisco, CA 94104  
11 Telephone: (415) 986-2400  
Facsimile: (415) 392-9259

12 Attorneys for Plaintiff ROBERT SZEGEDY

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 ROBERT SZEGEDY, an individual; ) Case No.: C 10-05579 EMC  
18 Plaintiff, )  
19 vs. ) STIPULATION AND [PROPOSED]  
20 ) ORDER TO POSTPONE HEARING  
21 ) ON DEFENDANT MONTAG  
22 ) DIVULGAÇÃO LTDA.'S MOTION TO  
23 ) SET ASIDE ENTRY OF DEFAULT  
Brazilian limited liability partnership; and ) AND PLAINTIFF ROBERT  
DOES 1 through 100, inclusive, ) SZEGEDY'S APPLICATION FOR  
Defendants. ) ENTRY OF DEFAULT JUDGMENT  
BY COURT  
Courtroom: 5, 17<sup>th</sup> Floor  
Judge: Hon. Edward M. Chen  
Action Filed: December 9, 2010  
Trial Date: TBD  
(E-Filing)

**WHEREAS** Defendant has filed with this Court a Motion to Set Aside Default, and Plaintiff has filed an Application for Entry of Default Judgment by Court, both of which, by stipulation and Court order, currently are scheduled to be heard on September 16, 2011 at 1:30 p.m.; and

**WHEREAS** Defendant's counsel, Kirk B. Freeman, Esq., was to be in trial in Orange County Superior Court in Case No. 30-2011-00457273, entitled *Convenience Retailers LLC v. K & R Services, Inc.*, for an estimated two weeks beginning August 8, 2011, but which trial has been continued, over Mr. Freeman's objection, to September 12, 2011; and

**WHEREAS** Plaintiff's and Defendant's counsel are both available on September 30, 2011:

**THE PARTIES TO THIS ACTION STIPULATE**, through their undersigned counsel, that:

(1) the hearing on Defendant's Motion to Set Aside Default and the hearing on Plaintiff's Application for Entry of Default Judgment by Court will be September 30, 2011, at 1:30 p.m., or on a date and at a time thereafter convenient to this Court.

**THE PARTIES HEREBY STIPULATE TO THE ABOVE:**

IDELL & SEITEL LLP

Dated: August 15, 2011

/s/ Owen Seitel

---

Owen Seitel

Attorneys for Plaintiff  
**ROBERT SZEGEDY**

## LAW OFFICES OF KIRK B. FREEMAN

Dated: August 15, 2011

/s/ Kirk B. Freeman

---

Kirk B. Freeman

Attorneys for Defendant

MONTAG DIVULGAÇÃO LTDA.

## SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s) within this efiled document.

LAW OFFICES OF KIRK B. FREEMAN

Dated: August 15, 2011

/s/ Kirk B. Freeman  
Kirk B. Freeman  
Attorneys for Defendant  
MONTAG DIVULGAÇÃO LTDA.

**IT IS HEREBY ORDERED:**

- (1) The hearing on Defendant's Motion to Set Aside Default and the hearing on Plaintiff's Application for Entry of Default Judgment by Court will be September 30, 2011 at 1:30 p.m.

Dated: August 16, 2011

